THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.27457 of 2005

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23.01.2006

Between:

Smt.Vadde Shivamma, D/o.Sri Jambulaiah

... Petitioner

AND

The Chairman, Hyderabad Urban Development Authority,

Hyderabad.

And another

...Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.27457 of 2005

ORDER:

The petitioner alleges that the respondents are laying a road in Chandranayak Thanda locality, that the said road is passing through the house of the petitioner and that no due process of law was initiated by the respondents before laying down the road. The petitioner further alleges that she is the owner of the land admeasuring Acs.0.33 gts., in survey Nos.11/23 and 11/25 of Khanampet Gram Panchayat and that she purchased the same from Smt.Nanoji Bai and R.Limba Nayak under an agreement of sale dated 27.9.1987.

At the stage of admission itself, the learned Standing Counsel for Hyderabad Urban Development Authority (HUDA) submits that HUDA is not laying any road in survey No.11/23 or 11/25 of Khanampet Gram Panchayat. The same is recorded. If the petitioner is aggrieved by any action of the second respondent in laying the road in petitioner's land, it shall be open to the petitioner to approach the Civil Court and obtain appropriate orders, as Writ would not lie against the second respondent in relation to property dispute.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

January 23, 2006.

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